

| | |
|---------------------------------|-----------------------|
| IN RE: PETITION FOR RESIDENTIAL | * BEFORE THE |
| ZONING VARIANCE | |
| E/S Hunting Tweed Drive, 48 ft. | * ZONING COMMISSIONER |
| +/- of C/L Walnut Avenue | |
| 12105 Hunting Tweed Drive | * OF BALTIMORE COUNTY |
| 4th Election District | |
| 3rd Councilmanic District | * Case No. 97-250-A |
| Jeffrey M. Attman, et al | |
| Petitioners | * |

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Jeffrey M. Attman and Merton Cohen for that property known as 12105 Hunting Tweed Drive, in the Valley Hills subdivision in Owings Mills. The Petitioners/property owners herein seek a variance from Section 1A003.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a front line setback of 29 ft., in lieu of the required 50 ft., for a proposed addition in an R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

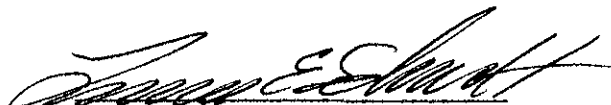
MICHAEL A. [illegible]

Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of January, 1997 that the Petition for a Zoning Variance from Section 1A003.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a front line setback of 29 ft., in lieu of the required 50 ft, for a proposed addition in an R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING

Date

By

RECORDED

RECORDED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 8, 1997

Mr. Jeffrey M. Attman
Mr. Merton Cohen
20 S. Charles Street, 2nd floor
Baltimore, Maryland 21201

Charles B. Heyman, Esquire
20 S. Charles Street, 10th floor
Baltimore, Maryland 21201

RE: Petition for Administrative Variance
Case No. 97-250-A
Property: 12105 Hunting Tweed Drive, Owings Mills

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

ENCLOSURE



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12105 Hunting Tweed Drive, 21117

which is presently zoned RC 5
PREV. CRBP

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A00 3B.3 to permit a front line setback of 29 feet in lieu of the required 50 feet (for a proposed addition) and ~~if necessary to amend the last approved Final Development Plan for Lot 146 of Valley Hills.~~ (u)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Siting and location of existing house on lot
2. Location of pool
3. Topography

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

Charles B. Heyman, Esq.

(Type or Print Name)

Signature

20 S. Charles St., 10th Floor

Address

Phone No.

Baltimore, Md. 21201 539-6967

City

State

Zipcode

Legal Owner(s):

Jeffrey M. Attman

(Type or Print Name)

Signature

Merton Cohen

(Type or Print Name)

20 S. Charles St., 2nd Floor, Baltimore 21201

Signature

Charles B. Heyman, Esq.

539-6967

Address

Phone No.

20 S. Charles St., 10th Floor
Baltimore, Md. 21201

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: AM

DATE: 12-10-96

ESTIMATED POSTING DATE: 12-22-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 250

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12105 Hunting Tweed Drive

address

Owings Mills, Md. 21117

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The property 12105 Hunting Tweed Drive, Owings Mills, Maryland 21117, the subject of this Petition, was purchased as my residence in December, 1995. The property has been occupied by me, my wife and children since then and will continue to be occupied as such. As a result in the increase in the number of children, it is necessary to add an addition to the house. As a result of the present siting and location of the house, the driveway and the pool on the lot and the existing topography of the lot, it would be hardship and impractical to locate this addition other than on the driveway side of the house, as shown on the accompanying plat.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

(signature)

(type or print name)



(signature)

Jeffrey M. Attman

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of November, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey M. Attman

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

11/13/96

NOTARY PUBLIC

My Commission Expires:

5/1/98

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 12105 HUNTING TWEED DR.
(address)

Beginning at a point on the EAST side of HUNTING
(north, south, east or west) (name of)
TWEED DR. which is 50'
street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 48' WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street

WALNUT AVENUE (name of street)

which is 60' wide. *Being Lot # 146.
(number of feet of right-of-way width)

Block N/A, Section # 2 in the subdivision of "VALLEY HILLS"
(name of subdivision)

as recorded in Baltimore County Plat Book # 39, Folio # 87, containing

43,429 sq. ft. (0.997 ac.) Also known as 12105 HUNTING TWEED DR.
(square feet or acres) (property address)

and located in the 4 Election District, 3 Councilmanic District.

250

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

No. 0299-8

253

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 12-10-96 ACCOUNT 2001-6150

AMOUNT \$ 50.00

RECEIVED FROM: J. H. Bennett 12105 Ave. 70g
Tuesd. 12.

PA. 092. (cic) — 50.00

FOR:

\$50.00

01A0000187MICHRC

SA 0015274617-10-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

J. H. Bennett

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 250

Petitioner: JEFFREY M. ATTMAN

Location: 12105 HUNTING TWEED DR, OWINGS MILLS, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JEFFREY M. ATTMAN

ADDRESS: 12105 HUNTING TWEED DR,

OWINGS MILLS, MD 21117

PHONE NUMBER: (410) 766-6484

AJ:ggs

(Revised 04/09/93)



CERTIFICATE OF POSTING

RE: Case No.: 97-250-A

Petitioner/Developer: _____

JEFFREY ATTMAN

Date of Hearing/Closing: 1/6/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

12105 HUNTING TWEED DRIVE

The sign(s) were posted on 12/22/96
(Month, Day, Year)

Sincerely,

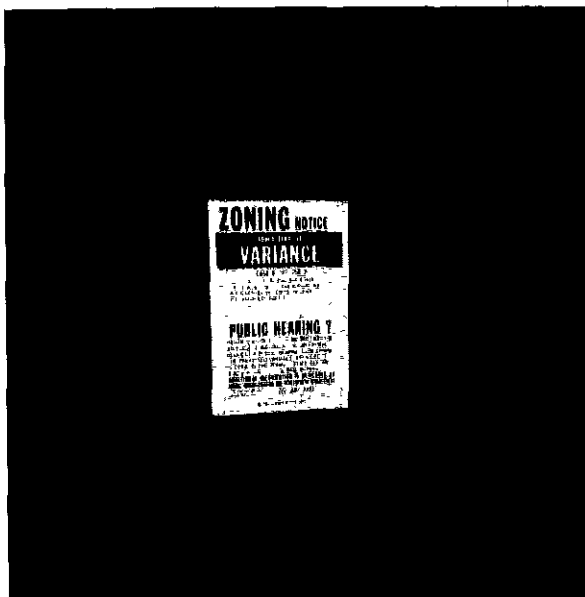

(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



12105 HUNTING TWEED DR.
POSTED 12/22/96

MICROFILMED

R

PDM

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 12-22-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-250-A

TO PERMIT A FRONT LINE SETBACK OF 29'
FOR AN ADDITION IN LIEU OF THE REQUIRED
50'.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

1-6-97

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-250-A (Item 250)
12105 Hunting Tweed Drive
E/S Hunting Tweed Drive, 48'+/- W of c/l Walnut Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Jeffrey M. Attman and Merton Cohen
Post by Date: 12/22/96
Closing Date: 01/06/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Charles B. Heyman, Esq.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 7, 1997

Charles B. Heyman, Esquire
20 S. Charles Street, 10th Floor
Baltimore, MD 21201

RE: Item No.: 250
Case No.: 97-250-A
Petitioner: Jeffrey Attman, et al

Dear Mr. Heyman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style with a large, stylized "W" and "R".

W. Carl Richards, Jr.
Zoning Supervisor

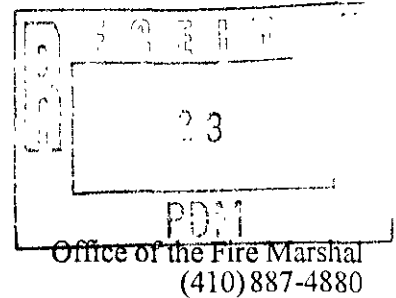
WCR/re
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



DATE: 12/19/96

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 23, 1986.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 245, 246, 247, 248,
249, 250, 252, 253, 254 AND 256.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: December 19, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 238, 244, 245, 247, 248, 249, 250, 252, 253, 255, and 256

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12-20-96
Item No. 250 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

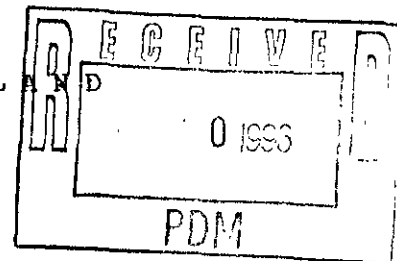
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 26, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for December 30, 1996
Item Nos. 246, 247, 248, 250,
252, 253, 254, 256

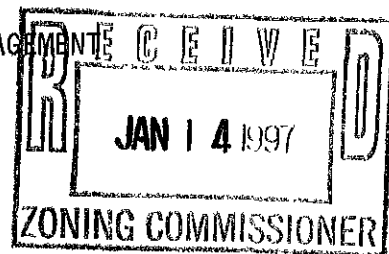
The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE



TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

January 9, 1997

FROM: R. Bruce Seeley *RBS/90*
DEPRM

SUBJECT: Zoning Item #250
12105 Huntig Tweed Drive
Zoning Advisory Committee Meeting of December 23, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Ground Water Management

Any building structure must be located at least 30 feet from a water well.
Contact GWM at 887-2762 if a variance is required.

RBS:GP:sp

HUNTIG/DEPRM/TXTSBP

MICROFILMED

PETITION PROBLEMS

#244 --- JRF

1. Sign form was not completed by planner - it was typed by attorney.

#248 --- MJK

1. No telephone number for legal owner.
2. Where is undersized lot package for OPCC?

#250 --- JCM

1. Back of petition form only signed by one legal owner.
2. Folder says property is 0.997 +/- square feet?????

#254 --- JRA

1. Need *original* signature of legal owner on at least one copy of petition form.

#256 --- JRF

1. No telephone number for legal owner.
2. No telephone number for contact person.

MICROFILMED

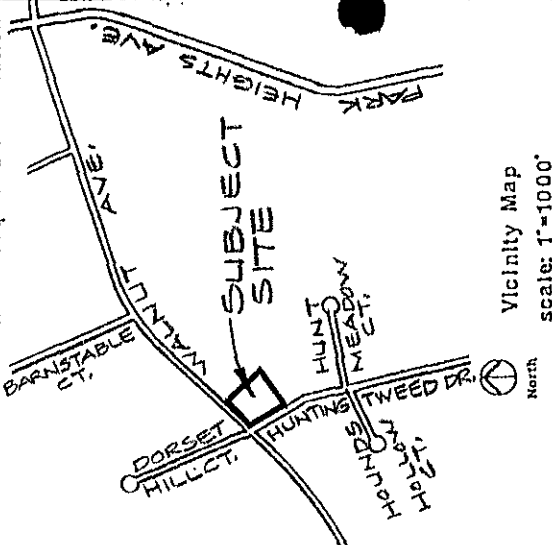
12/16/96

Plat to

see pages 5 & 6 of the CHECKLIST for additional required information

division name: VALLEY HILLS
folio# 87, lot# 146, section# 2
plat book# 37

7/12/20



LOCATION INFORMATION

Lot size: 0.997 acreage
43,429 square feet

public private

WATER:

Prior Zoning Hearings:

Zoning Office USE ONLY!

| reviewed by: | ITEM #: | CASE#: |
|--------------|---------|--------|
| | | |

250

prepared by:

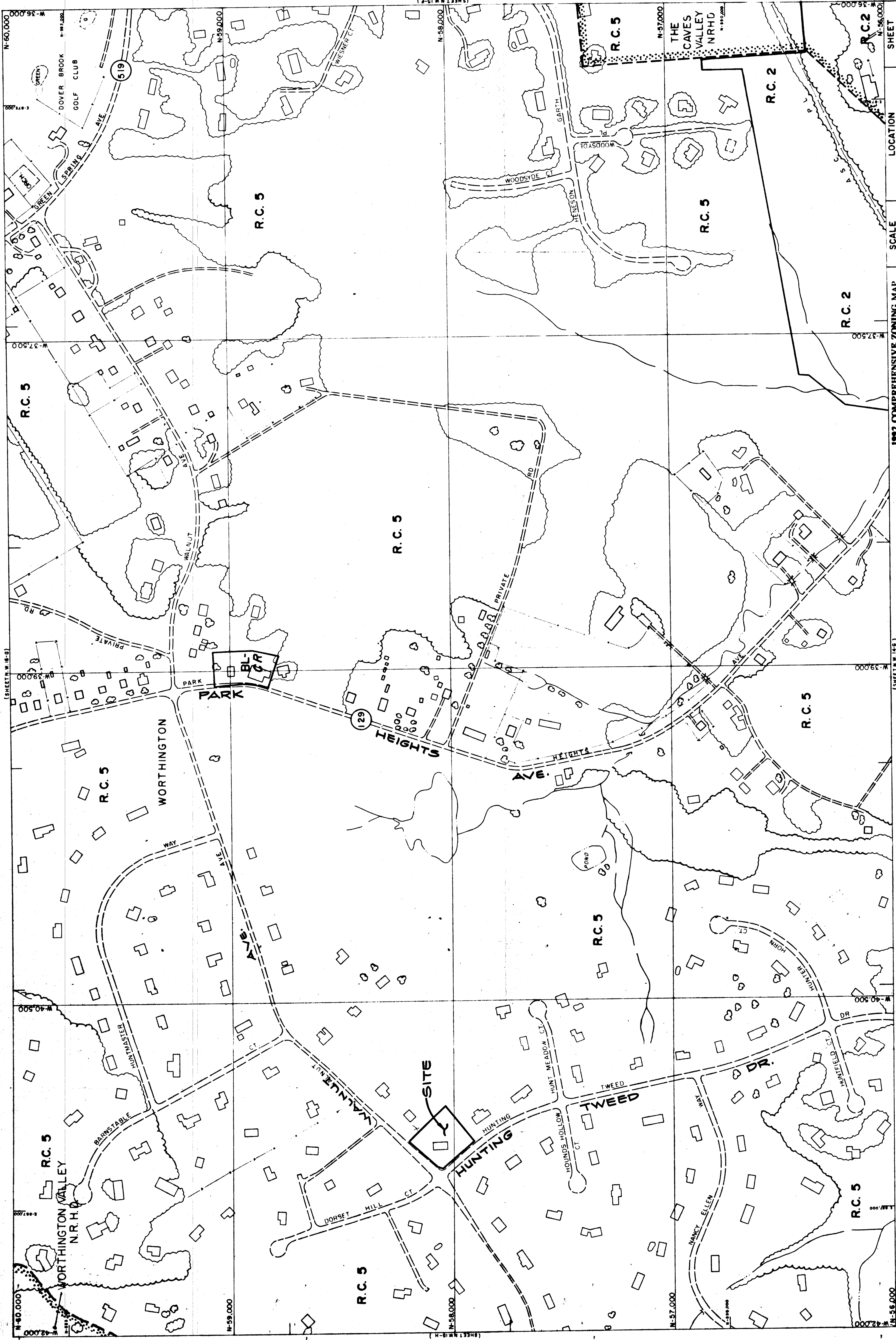
Scale of Drawing: $1'' = 50'$



#1 250



#2 250



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992

William A. Howard
 Chairman, County Council

| | | | |
|-------------------------------------|--------------------|-------------------------|------------------------|
| T - NE W - SE | SCALE 1" = 200' | LOCATION WORTHINGTON | SHEET N. W. 15-G |
| DATE OF PHOTOGRAPHY JANUARY 1986 | | | |

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

This is a high-contrast, black-and-white aerial photograph of a city grid, likely New York City. The image is heavily degraded with noise and artifacts, giving it a grainy, almost abstract appearance. The grid pattern of streets is visible, with some labels such as "PARK" and "HEIGHT" appearing in reverse or mirrored text. The overall texture is very rough, with large areas of black and white noise interspersed with the city's layout.

25

SCALE

SHEET

MICROFILMED

WORTHINGTON

DATE
OF
PHOTOGRAPHY
JANUARY
1986